

REMARKS

Claims 1-14 and 19-24 are pending in the subject application. By this amendment, original claims 1 and 10 have been amended to more particularly point out and define the subject matter regarded as inventive. Claims 19-24 have been added. Claims 15-18 have been canceled without prejudice to be pursued at a later time. No new matter has been added to the subject application, nor has any new issue been raised by these amendments. Support for the amendments herein is found throughout the specification and drawings of the subject application.

Applicant thanks the Examiner for the courtesies extended to Applicant's representative, Brian Pollack, in a telephone conference on December 19, 2005, during which potential amendments to the claims of the instant application were discussed. Applicant respectfully requests reconsideration of the subject patent application in light of the above amendments and below remarks.

I. Claim Rejections

A. Rejections Under 35 U.S.C. § 102(e)

In the Office Action, claims 1-5, 8, 10, 13 and 14 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent Publication No. 2003/0152821 to Lisi (hereinafter, "Lisi"). Applicant respectfully traverses the rejections.

Applicant has amended claims 1 and 10 to specify additional structural features. In particular, each of claims 1 and 10 have been amended to further recite that each heat pipe includes a sealed body containing a working fluid, at least one evaporator section disposed in the sealed body, and at least one condenser section, wherein the heat pipe is configured to transport heat by evaporating working fluid in the evaporator section, and directing the working fluid from the evaporator section to the condenser section where the working fluid is condensed.

In contrast to Applicant's invention as claimed, Lisi teaches a composite separator plate for use in a fuel cell stack including a plurality of elongated support members oriented generally parallel to each other and a polymeric body portion formed around the support members. The body portion includes a plurality of tubular members 102 defining passageways 116 and channels 112. (E.g., ¶¶ 28-31; Abstract; Fig. 2). Notably, Lisi does not disclose, teach or suggest a system including at least one heat pipe as claimed by Applicant. Lisi merely teaches that tubular members 102 are used to "pass a cooling fluid through the separator plate for controlling the thermal energy thereof." (¶ 30). This is nothing more than a conventional heat exchanger.

Applicant respectfully submits that claims 1-14 and 19-24 define subject matter that patentably distinguish over Lisi. Applicant therefore requests for the rejections under 35 U.S.C. § 102(e) to be withdrawn.

B. Rejections Under 35 U.S.C. § 103(a)

In the Office Action, claims 6, 7, 9, 11 and 12 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Lisi in view of U.S. Patent Publication No. 2004/0146771 to Saito et al. (hereinafter, "the Saito reference") and U.S. Patent Publication No. 2003/0152488 to Tonkovich (hereinafter, "Tonkovich"). Applicant respectfully traverses the rejections.

The deficiencies in Lisi have been set forth above. The Saito reference and Tonkovich do not remedy these deficiencies. For example, the Saito reference teaches a fuel cell separator 1 having a plurality of ribs 1a defining passages 4 that permit the supply and discharge of hydrogen or oxygen. (Saito, ¶4, Fig. 1). Tonkovich is generally directed to laminated devices including micro heating and cooling channels and has been relied on because it is alleged to teach using liquid metal as a coolant. (Office Action at 3; Tonkovich generally). Applicant

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respectfully submits that neither the Saito reference nor Tonkovich disclose, teach or suggest a bipolar end plate or fuel cell stack as claimed. Likewise, since the references do not disclose, teach or suggest each and every element, alone or in combination, of claims 1 and 10, those claims patentably distinguish over the art of record.

Likewise, claims 2-9, 11-14 and 19-24 define additional subject matter not disclosed or suggested by the references and are similarly allowable. Moreover, those claims are further allowable because they depend from properly allowable independent claims 1 and 10. Applicant therefore respectfully requests for the rejections under 35 U.S.C. § 103 to be withdrawn.

Formal Request For Interview

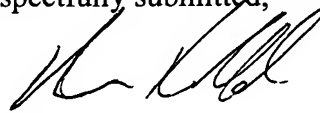
Applicant respectfully requests an interview with the Examiner to discuss the present application and the prior art of record. Applicant's attorney of record Brian Pollack may be reached at (203) 353-6876 to schedule a mutually convenient date and time and to provide assistance or additional information if required.

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CONCLUSION

Applicant respectfully submits that none of the prior art of record, alone or in combination, discloses or suggests the invention as claimed. Based upon the foregoing, favorable consideration of Claims 1-14 and 19-24 is earnestly solicited. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 59309(30471).

Respectfully submitted,



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